



CITY OF EUREKA COMMUNITY DEVELOPMENT DEPARTMENT

531 K Street • Eureka, California 95501-1146
Ph (707) 441-4160 • Fx (707) 441-4202 • www.ci.eureka.ca.gov

General Plan Petition

Overview

The General Plan is the foundational policy document of the City of Eureka. It establishes policy that forms the basis and defines the framework by which the City's physical and economic resources are to be developed, managed and utilized. As a long-range document, it may be in the public's interest to amend the General Plan or the Local Coastal Program, to respond to the changing or evolving needs of the community.

The most common type of amendment to the General Plan or the Local Coastal Program results when private developers seek to change a General Plan land use designation for the purpose of facilitating development. General Plan and the Local Coastal Program Amendments are subject to the California Environmental Quality Act (CEQA), and it is not uncommon that an Environmental Impact Report (EIR) is required. The preparation, circulation and adoption of an EIR can be a lengthy and costly process. As such, it is the desire of the City Council to determine, as early as possible, whether a proposed General Plan or Local Coastal Program Amendment has merit. The General Plan Petition process allows the Council to consider the proposed Amendment prior to CEQA review, and the expenditure of private and public time and money. The process also vests the City Council, as the legislative body of the City of Eureka, with the sole authority to initiate a General Plan or Local Coastal Program Amendment. Therefore, a private developer must submit a Petition application to the City Council to request the City Council initiate the Amendment on the developer's behalf.

If the City Council finds the proposed General Plan or Local Coastal Program Amendment has merit, the Council will initiate the Amendment. The developer is then financially responsible for all of the studies, reports, environmental documentation, and all other costs incurred in the processing of the Amendment. The action of the City Council to initiate the General Plan Amendment or Local Coastal Program on behalf of the developer does not bind the sitting or future Council with approval of the Amendment and in no way implies, indicates or guarantees that the City Council will approve the Amendment.

If the Council determines that the proposed General Plan or Local Coastal Program Amendment is not in the public interest, and is not likely to be in the public interest even after further study and analysis, the City Council will deny the Petition request. When a petition is denied, an application for the same or a similar petition request is barred for a period of two years.

How to Apply

General Plan Petition applications are available at the Community Development Department, 3rd floor, City Hall, or on the Department's website at www.ci.eureka.ca.gov. Staff can assist you with the materials needed for a complete application packet. Once you have put together a complete application packet, return the application packet along with the application fee to the Department for processing.

The Process

Step 1: Application Acceptance, Department Review

Once your application has been submitted and fees collected, Staff will perform a preliminary review of the application to determine if the application is complete. Should your application be found incomplete, you or your agent, if you have designated one, will be contacted and advised what items must be submitted before processing can continue.

Step 2: Referrals

Once your application has been accepted as complete, the assigned planner will send copies of your application materials to other City departments and public agencies having jurisdiction or authority over your project. If the responding Departments or agencies identify issues that must be resolved prior to the continued processing of your application, or if additional information is required by those Departments or agencies, the assigned planner will contact you or your agent, if you have designated one, and advise you of what is needed.

Step 3: Staff Review and Reporting

Staff will prepare a written report for the City Council that discusses whether the proposed General Plan or Local Coastal Program Amendment is in the public interest; whether the proposed Amendment conflicts with the adopted General Plan; and for a Local Coastal Program Amendment whether the proposed amendment conflicts with the adopted Local Coastal Program and/or Coastal Act. A copy of the staff report will be sent to you.

Step 4: Public Notice and Hearing

The City Council has the authority to determine whether the proposed General Plan or Local Coastal Program Amendment is, or has the potential to be, in the public interest. The City Council will consider the petition at a public meeting. You and/or your agent are encouraged to attend the meeting. A notice of the public meeting will be sent to you and will be published in a newspaper of general circulation in the City. At the meeting, the City Council will review the petition and may receive public testimony regarding the proposed Amendment.

Step 5: Action of the City Council

The City Council will review the written report, and the materials submitted by the petitioner, along with any public testimony. If the City Council believes that the requested General Plan or Local Coastal Program Amendment is, or has the potential to be in the public interest, the City Council will, by a majority vote, initiate the proposed Amendment on behalf of the petitioner(s); and will direct the petitioner to file a complete General Plan Amendment or Local Coastal Program Amendment application as prescribed by the Eureka Municipal Code and as regulated and stipulated by law.

If the City Council believes that the requested Amendment is not in the public interest, and/or that further study and evaluation will not show that the proposed General Plan or Local Coastal Program Amendment is in the public interest, the City Council will, by a majority vote, deny the petition request.

How to Get Help

Call, e-mail or visit the Community Development Department; we are available to discuss your project with you. You may also wish to hire a consultant, such as an architect, engineer, land surveyor, or professional planner to assist you; a listing of qualified professionals is available in the yellow pages of the phone directory.

Supplemental Application Form

Please complete the information below by checking the appropriate boxes and attaching additional sheets for the supplemental information as necessary. If you have questions regarding this Supplemental Application Form, the application process, or general planning questions, please do not hesitate to contact the Community Development Department at the address and phone number shown above. Office hours are Monday - Friday 8 a.m. - noon and 1 p.m. - 5 p.m.

1. Provide the following information:	Done	N/A
(a) The name and address of the petitioner(s).	<input type="checkbox"/>	<input type="checkbox"/>
(b) A statement that the petitioner is the owner, or the authorized agent of the owner, of the property for which a General Plan amendment is proposed.	<input type="checkbox"/>	<input type="checkbox"/>
(c) The address or description of the property subject to the General Plan amendment.	<input type="checkbox"/>	<input type="checkbox"/>
(d) A written description of the purpose of the proposed General Plan amendment, including a description of the intended development, use, and improvements to the property subject to the General Plan amendment.	<input type="checkbox"/>	<input type="checkbox"/>
(e) A written statement as to why the petitioner believes the General Plan amendment is in the public interest, which shall include evidence to support at least one of the following:	<input type="checkbox"/>	<input type="checkbox"/>
(i) How the fundamental information upon which the General Plan was prepared and adopted has changed.		
(ii) How the physical conditions or infrastructure servicing the area has changed.		
(iii) How the community values, standards or principles have changed.		
(iv) How there is an error in the General Plan.		
(f) A written statement that includes evidence supporting the fact that the proposed General Plan amendment is internally consistent with the adopted General Plan.	<input type="checkbox"/>	<input type="checkbox"/>
(g) Check with the Community Development Department to determine how many copies of draft maps, plans, drawings, photographs, pictures, or other representations of the property subject to the proposed General Plan amendment are required. The information must adequately illustrate, at a minimum, the existing and proposed buildings and uses, locations of streets, property lines, driveways, pedestrian walks, off-street parking and loading facilities, landscaped areas, drainage facilities, resource protection measures, fences, and walls.	<input type="checkbox"/>	<input type="checkbox"/>

Plan Drawings for All Applications

All projects involving construction, alteration, conversion, or other modification to a building, structure or site must submit 1 original, and, if the plans are computer generated, one electronic copy (which may be sent via email) of a Site Plan, Floor Plan and Elevations, unless otherwise stated in the Supplemental Application Form(s) for the application you are submitting. If you are unsure which plan drawings you need to submit, or how many copies to submit, please contact the Department.

All of the plan drawings must be drawn to a standard engineer or architect scale. We prefer plan sheets to be no larger than 11" x 17", provided, of course, that the detail is legible at that size.

The following items must be included in the title block on EACH plan:

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| <ul style="list-style-type: none"> ✓ Title ✓ Scale ✓ North Arrow ✓ Contact information for the applicant, agent, and/or contractor | <ul style="list-style-type: none"> ✓ Property Address ✓ Assessor Parcel number ✓ Date |
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<p>1. <u>The Site Plan should show:</u></p> <ul style="list-style-type: none"> (a) All property lines, with dimensions (b) All adjacent streets, alleys, and easements and distance to centerline of same (c) Sidewalk area as measured from the face-of-curb to the property line (d) Distance from all property lines to all structures (a.k.a. setback dimensions) (e) Square footage of all structures, measured exterior wall to exterior wall (f) Use of all structures (g) Size and location of all off-street parking and loading spaces (h) Landscaping, include size of planter area and the plant material and size (e.g., 5 gallon) (i) Location, size and type of trees to be removed (j) Natural resource areas (e.g., wetlands, riparian areas, etc.) 	Done N/A
<i>Note: Eaves, structures to be removed/demolished, and upper floors may be shown in dashed outline and labeled (e.g., "Shed to be removed", "New second floor")</i>	
<p>2. <u>The Floor Plan should show:</u></p> <ul style="list-style-type: none"> (a) Interior/exterior walls (distinguish between walls to remain, walls to be removed, and new walls); include doors, windows, stairs, porches, decks, etc. (b) Room function (e.g., bedroom, kitchen, shed, garage, office, warehouse, etc.) (c) Structure dimensions (d) Square feet of each room or use in a multi-use building 	Done N/A
<i>Note: Color photographs may be submitted for alterations or additions to existing buildings or structures, including signs</i>	
<p>3. <u>The Elevation Drawings should show:</u></p> <ul style="list-style-type: none"> (a) Building or structure (including signs) height (b) Walls, roofs, overhangs, windows, doors and other architectural features (c) Slope of natural grade and cut/fill lines (d) Exterior building materials (e) Exterior colors or treatments 	Done N/A